

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK
FRANCIS D. MENARD,**

Plaintiff,

**6:22-cv-39
(GLS/ML)**

v.

**DARNELL ANN
MENARD-GRINNELL,**

Defendant.

APPEARANCES:

OF COUNSEL:

FOR THE PLAINTIFF:
FRANCIS D. MENARD
Pro Se
407 West St. Apt. D
Rome, NY 13440

**Gary L. Sharpe
Senior District Judge**

ORDER

The above-captioned matter comes to this court following an Order and Report-Recommendation (R&R) by Magistrate Judge Miroslav Lovric, duly filed April 1, 2022. (Dkt. No. 4.) Following fourteen days from the service thereof, the Clerk has sent the file, including any and all objections filed by the parties herein.

No objections having been filed, and the court having reviewed the R&R for clear error, it is hereby

ORDERED that the Order and Report-Recommendation (Dkt. No. 4) is **ADOPTED** in its entirety; and it is further

ORDERED that the complaint (Dkt. No. 1) is **DISMISSED** without prejudice for failure to state a claim upon which relief may be granted pursuant to 28 U.S.C. § 1915(e)(2)(B); and it is further

ORDERED that plaintiff may file an amended complaint as set forth in the R&R within thirty (30) days of the date of this Order; and it is further

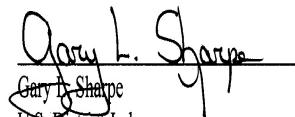
ORDERED that, if plaintiff files an amended complaint, such proposed amended complaint will be referred to the Magistrate Judge for initial review; and it is further

ORDERED that, if plaintiff fails to file an amended complaint within the time permitted, the clerk is directed to close this case without further order of the court; and it is further

ORDERED that the Clerk provide a copy of this Order to plaintiff in accordance with the Local Rules of Practice.

IT IS SO ORDERED.

April 20, 2022
Albany, New York


Gary L. Sharpe
U.S. District Judge